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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HARPERCOLLINS PUBLISHERS L.L.C., :
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Plaintiff, Case No. 10 CIV 8782 (PGG)
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- against - :
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GAWKER MEDIA LLC, :
 :
 :
Defendant. :
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DECLARATION OF RACHEL F. STROM

I, RACHEL F. STROM, declare as follows:

1. I am an attorney duly admitted to this Court and am an associate at the law firm of Hogan Lovells US LLP, counsel for plaintiff HarperCollins Publishers L.L.C. ("HarperCollins"). I submit this declaration in support of HarperCollins' application for a temporary restraining order and preliminary injunction.

2. On November 19, 2010, HarperCollins filed a complaint against defendant Gawker Media LLC ("Gawker") in this Court (the "Complaint").

3. After filing the Complaint, I contacted Gaby Darbyshire, the Chief Operating Officer, Legal Director, and Director of Business Development at Gawker. I informed Ms. Darbyshire that HarperCollins had filed the Complaint and that HarperCollins, on November 20, 2010, would be seeking a temporary restraining order requiring Gawker to remove twenty-one pages of the book *America By Heart*, written by Sarah Palin, from Gawker's website located at <http://www.gawker.com>. I further said that I would notify her when an appearance before a U.S.

District Judge was scheduled. Ms. Darbyshire asked me to send her the information by e-mail.

4. On November 20, 2010, I talked to the Clerk for the Honorable Thomas P. Griesa, who is the Judge assigned to hear emergency applications this weekend. Judge Griesa's Clerk informed me that Judge Griesa would likely hear HarperCollins' application between 2:30 p.m. and 6:00 p.m. this afternoon at the Judge's residence.

5. On November 20, 2010, at 12:15 p.m. I e-mailed Ms. Darbyshire to inform her that HarperCollins' application for a temporary restraining order would likely be heard before Judge Griesa sometime between 2:30 p.m. and 6:00 p.m. at the Judge's residence. I further informed Ms. Darbyshire that I would send her the exact details of when and where HarperCollins' application would be heard as soon as I learned the details from Judge Griesa's Clerk.

6. On November 20, 2010, at approximately 12:45 p.m., Judge Griesa's clerk informed me that Judge Griesa would be available to hear HarperCollins' application at 3:00 p.m. at his residence. Immediately thereafter, I emailed Ms. Darbyshire to inform her when and where Judge Griesa would hear HarperCollins' application.

7. Thereafter, Ms. Darbyshire called to inform me that she would like to appear by phone for the appearance before Judge Griesa as she is out of town this weekend. She also sent me the email that is attached hereto as Exhibit A.

I declare under penalty of perjury under the laws of the United States of America and the State of New York that the foregoing is true and correct and that this declaration was executed on November 20, 2010.



RACHEL F. STROM